

OPINION  
47-26

October 3, 1947 (OPINION)

CERTIFICATES OF INDEBTEDNESS

RE: When Sold Without Advertising for Bids

Your letter of September 30, 1947, relating to the above, has come to my desk.

Section 21-0211 of the 1943 Revised Code seems to be made up by the code commission by combining sections 4285a4 and 4285a5 of the 1925 Supplement.

By referring to these sections, it is my opinion that if the school district can sell certificates of indebtedness at par to bear not more than five and one-half percent interest per annum then they may be sold without advertising.

However, if the total borrowing on certificates of indebtedness exceeds \$6,000.00, then it would be necessary to advertise. But the school district can borrow up to \$6,000.00 without advertising if they can sell them at five and one-half percent interest per annum. If the sale is made to any of the state departments investing trust funds then it is my opinion that they can sell them without advertising even if the total borrowed is in excess of \$6,000.00.

NELS G. JOHNSON

Attorney General